

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6997

BILL NUMBER: HB 1416

NOTE PREPARED: Mar 1, 2011

BILL AMENDED: Feb 10, 2011

SUBJECT: Credit Time for Approved Correspondence Courses.

FIRST AUTHOR: Rep. McNamara

FIRST SPONSOR: Sen. Waterman

BILL STATUS: As Passed House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that, for an imprisoned person to earn credit time for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved in advance by the Department of Correction.

Effective Date: July 1, 2011.

Explanation of State Expenditures: (Revised) This bill could reduce the time that Department of Correction (DOC) staff must devote to challenging earned credit time claims by some offenders in court.

DOC reports that offenders are attempting to buy diplomas from out-of-state correspondence schools and claiming earned credit time. When DOC denies the credit time, the offenders will file lawsuits against the state. DOC staff and staff in the Office of the Attorney General must then respond in writing and appear in court in defense of DOC's decision to deny any earned credit time for these claims. This bill would specify that correspondence courses must be accredited by the Department of Education in the state where the entity is located.

DOC reports that in CY 2010 it was involved in 110 civil cases in which offenders claimed earned credit time after receiving diplomas from unaccredited correspondence programs and then sued the state.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction; Office of the Attorney General.

Local Agencies Affected:

Information Sources: Tim Brown, John Nally Department of Correction

Fiscal Analyst: Mark Goodpaster, 317-232-9852.